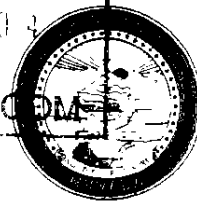


RANDOLPH J. TOWNSEND

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February 27, 2004

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Michael K. Powell, Chairman  
Federal Communications Commission  
445 12th Street SW  
Washington, D.C. 20554-0001

Re In the Matter of Section 272(b)(1)'s "Operate Independently" Requirement for Section 272 Affiliates, WC Docket No. 03-228

Dear Chairman Powell:

This letter addresses the Federal Communication Commission's notice of proposed rulemaking in WC Docket No. 03-228 regarding section 272(b)(1)'s "operate independently" requirement. As a Nevada State Senator, Chairman of the Senate Committee on Commerce and Labor, and a member of the FCC's Intergovernmental Advisory Committee, I am writing to urge you to grant the OI&M relief various telecommunications companies are requesting.

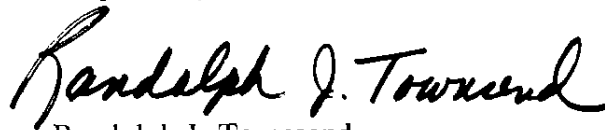
The current restrictions cause telecommunications companies unnecessary duplication in their operations. Eliminating these artificial restrictions will help the companies provide improved customer service at attractive prices. Lifting these restrictions will benefit Nevada in two ways. First, consumers in urban areas will experience improved service quality and more competitive markets. Second, customers in rural areas will benefit from access to broadband services. The economics of deploying rural broadband services will improve significantly if the OI&M restrictions are lifted. Under the current restrictions, a technician who only supports broadband services must make an eight-hour round trip to install a single DSL service. Broadband deployment in rural areas will increase when local employees who install and maintain basic telephone service can also install and maintain all other telecom services, including DSL services. This improved efficiency makes particular sense in rural Nevada where it is challenging for companies to economically justify broadband deployment.

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Consumers are best served when allowed to communicate directly with service providers without unnecessary and artificial governmental restrictions. This approach has proven even more effective in telecommunications. Based on this philosophy, the foregoing recommendations represent sound public policy that will enhance customer service and increase access to new technology in rural communities. Please give this matter serious consideration

I am flattered that you appointed me to the Intergovernmental Advisory Committee and look forward to working with you. Do not hesitate to contact me 24-hours a day to discuss this or any other issue. You can always reach me on my cell phone at (775) 771-1555 or by e-mail if you prefer at [Randolph@northstarinvestors.com](mailto:Randolph@northstarinvestors.com).

Respectfully,

A handwritten signature in black ink that reads "Randolph J. Townsend". The signature is fluid and cursive, with the first name being the most prominent.

Randolph J. Townsend  
Nevada State Senator

RJT/bbh W41039

cc Commissioner Kathleen Q. Abernathy  
Commissioner Jonathan S. Adelstein  
Commissioner Michael J. Copps  
Commissioner Kevin J. Martin  
Secretary of the Federal Communications Commission